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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

FRANCISCO et al.

Atty. Ref.: 3734-4

Serial No. 09/431,616

Group:

Filed: November 2, 1999

Examiner:

For: SYSTEM AND METHOD FOR CAUSING MULTIPLE  
PARTIES TO BE PAID FROM A SINGLE CREDIT CARD  
TRANSACTION

\* \* \* \* \*

October 5, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**PETITION TO HAVE NOTICE OF ABANDONMENT WITHDRAWN**

Responsive to the Notice of Abandonment mailed September 29, 2000 (a copy of which is attached), it is respectfully requested that the Notice of Abandonment be withdrawn for the following reasons: 1) Applicant never received the Notice to File Missing Parts or the Filing Receipt for the above-identified application (through no fault of applicant) and 2) Applicant's Attorney filed a Status Inquiry on June 23, 2000 (a copy of which is attached) inquiring as to when an Official Filing Receipt and a Notice to File Missing Parts would be forthcoming. The PTO never responded to the status request. A copy of the PTO mail room date-stamped postcards indicating receipt of the Notice of Address Change and Status Inquiry is attached hereto. If Applicant had received a copy of the Notice To File Missing Parts, this application would not have been abandoned.

FRANCISCO et al.  
Serial No. 09/431,616

Therefore, Applicant respectfully request that the Notice of Abandonment be withdrawn and the PTO forward an Official Filing Receipt along with the Notice to File Missing Part to the undersigned attorney at the PTO's earliest convenience. It is also respectfully requested that no fee is due with this Petition since the Applicant never received the Missing Parts and no response could be made in response thereto. If there are any questions with regard to this Petition, please contact the undersigned attorney at the below listed telephone number. The PTO is not authorized to charge any fee associated with this communication to any deposit account, because no fee is due because the PTO apparently never forwarded the Missing Parts notice to the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Joseph A. Rhoa

Reg. No. 37,515

JAR:caj  
1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4043  
Facsimile: (703) 816-4100

Serial No.: 09/431,616 Atty: JAR  
 Applicant: FRANCISCO et al Date: 1-21-00  
 Title: SYSTEM AND METHOD Client: 3734-4  
 FOR CAUSING MULTIPLE Ref:  
PARTIES TO BE PAID FROM A SINGLE  
CREDIT CARD  
TRANSACTION  
 Amendment  
 Pages Specification  
 Claims  
 Sheets Drawings: Formal  
 Informal  
 Declaration ( Pages)  
 Assignment  
 Priority Document  
 Base Issue Fee Transmittal  
 Fee (Check)



Other: NOTICE OF ADDRESS CHANGE

Serial No.: 09/431,616 Atty: Joseph A. Rhoa  
 Inventor/s: FRANCISCO et al. Date: Jun. 23, 00  
 C#/M#: 3734-4  
 Title: SYSTEM AND METHOD FOR CAUSING MULTIPLE  
 PARTIES TO BE PAID FROM A SINGLE CREDIT  
 CARD TRANSACTION

Amendment  
 Pages Specification, Claims & Abstract  
 Claims  
 Sheets of Drawings  
 Declaration ( Pages)  
 Assignment ( Pages) Including Cover  
 Priority Document(s)  
 Base Issue Fee Transmittal  
 Fee (Check)

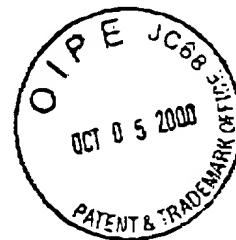


Other: STATUS INQUIRY

Serial No.: 09/431,616      Atty: Joseph A. Rhoa  
Inventor/s: FRANCISCO et al.      Date: Oct. 5, 00  
C#/M#: 3734-4  
Title: SYSTEM AND METHOD FOR CAUSING MULTIPLE  
PARTIES TO BE PAID FROM A SINGLE CREDIT  
CARD TRANSACTION

**XX Petition to Have Notice of Abandonment Withdrawn**  
6pgs

\$      Fee (Check)  
Other:



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1100 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22201-4714

# Nixon & Vanderhye P.C.

ATTORNEYS AT LAW

## FACSIMILE COVER SHEET

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WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4043  
E-mail: jar@nixonvan.com

### PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 3734-4

Your Ref.: S.N. 09/431,616

Date: September 12, 2002

To: Ms. Doshie Day

Firm: USPTO

Facsimile No.: (703) 308-7749

From: Joseph A. Rhoa

Number of Pages (including cover sheet): 8

(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN  
TRANSMISSION, PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Coral A. Jones  
FACSIMILE OPERATOR

ATTACHMENTS: Petition and attachments filed Oct. 5, 2000.

MESSAGE: Per your request.

### CONFIDENTIALITY NOTE

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

FRANCISCO et al.

Atty. Ref.: 3734-4

Serial No. 09/431,616

Group:

Filed: November 2, 1999

Examiner:

For: SYSTEM AND METHOD FOR CAUSING MULTIPLE  
PARTIES TO BE PAID FROM A SINGLE CREDIT CARD  
TRANSACTION

June 23, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

**STATUS INQUIRY**

Sir:

This application was filed on November 2, 1999. However, since then Applicant has not received an Official Filing Receipt or Notice to File Missing Parts of Application from the Patent Office regarding the above-identified application. Inquiry is made as to when an Action will be forthcoming. Please direct any response to this inquiry to Coral A. Jones at telephone number (703) 816-4107.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Joseph A. Rhoa

Reg. No. 37,515

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
09/431,616	11/02/1999	PAUL A. FRANCISCO	2434.120

Joseph A Rhoa  
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Arlington, VA 22201-4714

**ABANDONMENT/TERMINATION  
LETTER**



\*OC000000005439784\*

Date Mailed: 09/29/2000

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/07/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice MUST be returned with the reply.*

*(Signature)*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY